

United States District Court
Northern District of California

NXSYSTEMS, INC.,

Plaintiff,

v.

MONTEREY CALIFORNIA BANK, et al.,

Defendants.

Case No.: 12-cv-5458 KAW

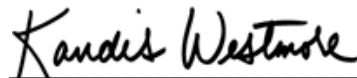
ORDER FOR SUPPLEMENTAL BRIEFING,
RESCHEDULING HEARING ON
DEFENDANT'S MOTION TO DISMISS

Defendants filed a motion to dismiss on November 5, 2012. On December 7, 2012, Plaintiff filed a document titled "Opposition to Defendant's Motion to Dismiss," that is in substance a motion to file an amended complaint, together with a proposed amended complaint. On December 14, 2012, Defendants filed a reply brief, arguing that amendment would be futile.

Plaintiff is ordered to file supplemental briefing responding to the arguments in Defendants' reply brief by January 3, 2013. The hearing currently set for January 3, 2013 is continued to January 17, 2013, at 11:00 a.m.

IT IS SO ORDERED.

Dated: December 20, 2012



KANDIS A. WESTMORE
UNITED STATES MAGISTRATE JUDGE